

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEITH BOYCE,

Plaintiff,
-against-

THE LONG ISLAND RAILROAD COMPANY,

Defendant.

COMPLAINT

PLAINTIFF DEMANDS
TRIAL BY JURY

Plaintiff, by his attorneys, SABLE & GOLD, complaining of the defendant, respectfully shows to this Court and alleges:

AS AND FOR A FIRST CAUSE OF ACTION

1. The action herein arises under the Federal Employer's Liability Act (45 U.S.C. Sec. 51 et al.).
2. Upon information and belief and at all times herein mentioned, the defendant was a public benefit corporation organized and existing under and by virtue of the laws of the State of New York.
3. Upon information and belief and at all times herein mentioned, the defendant had been and still is doing business in the County of New York, State of New York, within the jurisdiction of this Court.
4. At all times herein mentioned, the defendant was and now is a common carrier by rail engaged in interstate commerce between different states in the United States.
5. That on or about March 3, 2007 and at all times hereinafter mentioned the defendant employed the plaintiff in furtherance of its business in interstate commerce.

AS AND FOR A SECOND CAUSE OF ACTION

11. Plaintiff repeats, reiterates and re-alleges each and every allegation set forth in paragraphs 1 through 10, inclusive, as if more fully set forth at length herein

12. On March 3, 2007 while plaintiff was working at the place hereinabove described, he was caused to and because of a defect in the locomotive equipment of the defendant, and he thereby sustained severe and painful injuries, all in violation of the Boiler Inspection Act, Title 49 USC § 20701-20703.

13. Plaintiff was damaged in a sum in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

WHEREFORE, plaintiff KEITH BOYCE demands judgment against defendant THE LONG ISLAND RAILROAD COMPANY, in a sum in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) in the First Cause of Action, in excess of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) in the Second Cause of Action together with costs and disbursements.

Dated: New York, New York
January 7, 2005

SABLE & GOLD
Attorney for Plaintiff

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